

EDUCATION DEPARTMENT[281]

Adopted and Filed

Pursuant to the authority of Iowa Code section 256.7 and chapter 285, the State Board of Education hereby amends Chapter 43, “Pupil Transportation,” Iowa Administrative Code.

Chapter 43 provides the rules and standards for pupil transportation for all Iowa school districts and accredited nonpublic schools.

This amendment conforms rule 281—43.15(285) to new federal regulation 49 CFR Section 391.43 (2014), which went into effect on May 21, 2014, by providing that an applicant for a school bus driver’s authorization undergo a biennial physical examination by a certified medical examiner who is listed on the National Registry of Certified Medical Examiners.

An agencywide waiver provision is provided in 281—Chapter 4.

Notice of Intended Action was published in the July 9, 2014, Iowa Administrative Bulletin as **ARC 1528C**. Public comments were allowed until 4:30 p.m. on July 29, 2014. A public hearing was held on that date. No one attended the public hearing. No written comments were received regarding this amendment. This amendment is identical to that published under Notice.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement 49 CFR Section 391.43 (2014).

This amendment will become effective on November 19, 2014.

The following amendment is adopted.

Amend rule 281—43.15(285) as follows:

281—43.15(285) Physical fitness. Except for insulin-dependent diabetics, an applicant for a school bus driver’s authorization must undergo a biennial physical examination by a ~~licensed physician or surgeon, osteopathic physician or surgeon, osteopath, qualified doctor of chiropractic, licensed physician assistant, or advanced registered nurse practitioner~~ certified medical examiner who is listed on the National Registry of Certified Medical Examiners. The applicant must submit annually to the applicant’s employer the signed medical examiner’s certificate (pursuant to Federal Motor Carrier Safety Administration regulations 49 CFR Sections 391.41 to 391.49), indicating, among other requirements, sufficient physical capacity to operate the bus effectively and to render assistance to the passengers in case of illness or injury, and freedom from any communicable disease. At the discretion of the chief administrator or designee of the employer or prospective employer, the chief administrator or designee shall evaluate the applicant’s ability in operating a school bus, including all safety equipment, in providing assistance to passengers in evacuation of the school bus, and in performing other duties required of a school bus driver.

[Filed 9/19/14, effective 11/19/14]

[Published 10/15/14]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 10/15/14.